

1 DANIEL J. BERGESON, Bar No. 105439  
2 [dbergeson@be-law.com](mailto:dbergeson@be-law.com)  
3 JOHN W. FOWLER, Bar No. 037463  
4 [jfowler@be-law.com](mailto:jfowler@be-law.com)  
5 MELINDA M. MORTON, Bar No. 209373  
6 [mmorton@be-law.com](mailto:mmorton@be-law.com)  
7 BERGESON, LLP  
8 303 Almaden Boulevard, Suite 500  
9 San Jose, CA 95110-2712  
10 Telephone: (408) 291-6200  
11 Facsimile: (408) 297-6000

12 Attorneys for Plaintiff  
13 VERIGY US, INC.

14 UNITED STATES DISTRICT COURT  
15 NORTHERN DISTRICT OF CALIFORNIA  
16 SAN JOSE DIVISION

17 VERIGY US, INC, a Delaware Corporation

18 Plaintiff,

19 vs.

20 ROMI OMAR MAYDER, an individual;  
21 WESLEY MAYDER, an individual; SILICON  
22 TEST SYSTEMS, INC., a California Corporation;  
23 and SILICON TEST SOLUTIONS, LLC, a  
24 California Limited Liability Corporation,  
25 inclusive,

26 Defendants.

Case No. C07 04330 RMW (HRL)

**PLAINTIFF'S ADMINISTRATIVE  
MOTION FOR LEAVE TO FILE  
DOCUMENTS UNDER SEAL**

Judge: Honorable Howard R. Lloyd  
Ctrm: 2

1 Pursuant to Civil Local Rules 7-11(a) and 79-5(b), Plaintiff Verigy U.S., Inc. ("Plaintiff"  
2 or "Verigy") requests that the following materials be filed under seal, as they contain confidential  
3 information that is protected by the Stipulated Protective Order entered by the Court on August  
4 29, 2007. The documents submitted under seal include: Exhibits B through H and Exhibit N of  
5 the Declaration of Melinda M. Morton in Support of Verigy's Motion for Protective Order Re  
6 Requests for Admission Propounded by Defendants.

7 These materials (hereafter "the Materials") disclose information that has been designated  
8 as "Confidential" or "Highly Confidential – Attorneys Eyes Only" by the parties or the Court  
9 under the Protective Order, without objection to those designations (although Verigy reserves its  
10 rights to challenge such designations pursuant to the Stipulated Protective Order). The Materials  
11 are especially sensitive because they contain references to Verigy's trade secrets and trade secret  
12 designations. Although the information in the Materials has been designated as protected from  
13 disclosure under the Protective Order, Verigy must rely on this information in support of its  
14 Application. The parties' confidentiality interest therefore overcomes the right of public access to  
15 the record, as a substantial probability exists that the parties' overriding confidentiality interest  
16 will be prejudiced if the record is not sealed. Further, the proposed sealing is narrowly tailored  
17 and no less restrictive means exist to achieve this overriding interest

18 Pursuant to Local Civil Rule 79-5(b)-(c), Verigy therefore lodges the Materials with this  
19 Court, and respectfully requests leave to file the aforementioned documents under seal.

20 Respectfully submitted.

21 Dated: May 13, 2008

BERGESON, LLP

22 By: /s/  
23 Melinda M. Morton  
24 Attorneys for Plaintiff  
25 VERIGY US, INC.  
26  
27  
28